REMARKS

STATUS OF THE CLAIMS:

Claims 1, 3, 4, 6-10, 12, 13 and 15-20 are pending.

Claims 1, 3, 4, 10, 12, 13 and 19-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi et al., U.S. Patent Publication No. 20010015944, hereinafter referred to as "Takahashi," in view of Nakamura et al., JP 07141837, hereinafter referred to as "Nakamura," in further view of Kondo et al., U.S. Patent Publication No. 20050037187, hereinafter referred to as "Kondo."

Claims 6-7 and 15-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi, in view of Nakamura, in further view of Kondo in further view of Moon et al., U.S. Patent No. 6,408,338, hereinafter referred to as "Moon."

Claims 8 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi, in view of Nakamura, in further view of Kondo in further view of Kikuchi et al., U.S. Patent No. 6,553,180, hereinafter referred to as "Kikuchi."

Claims 9 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi, in view of Nakamura, in further view of Kondo in further view of Mehta, U.S. Patent No. 5,999,933, hereinafter referred to as "Mehta."

In accordance with the foregoing, the claims are amended, and, thus, the pending claims remain for reconsideration, which is respectfully requested.

The Examiner's rejections are traversed.

No new matter has been added.

35 U.S.C. § 103(a) REJECTION:

Independent claims, 1, 3, 10, 12 and 19, are rejected under 35 U.S.C. 103(a) over Takahashi, in view of Nakamura, in further view of Kondo.

The Office Action at page 3, lines 2-4 alleges "Claim one has been amended to recited that the recorded information is in a variable format . . it is well known in the art to use a variable bit rate as an alternative to a fixed bit rate (Kondo et al., paragraph [0106])." In the Amendment, filed June 6, 2006, claims 1, 10 and 19 were amended deleting the claim language " . . . said information is recorded at a variable bit rate." Therefore, it is understood that independent

claims 1, 3, 10, 12 and 19 stand rejected under 35 U.S.C. § 103 only over Takahashi, in view of Nakamura.

Takahashi discusses "**Information on files on the disc is all recorded in a TOC (Table of Contents) area.** . . . In order to control files on the disc, the system controller 1 is provided with a FAT (File Allocation Table) 11. The location and attributes such as the number, the recording date & time and the file name of each file on the disc are controlled by referencing the FAT 11" (Takahashi, paragraph 74, lines 1-10).

Takahashi further discusses "**File system control information including the FAT 11 described above is all written into the TOC area before the disc is taken out from the signal recording/playback apparatus**"(Takahashi, paragraph 77, lines 1-4).

Takahashi further discusses "FIG. 4 is a table showing an example of file system control information" (Takahashi, paragraph 78, lines 1-2).

In other words, Takahashi discusses storing in "the TOC area," "the number, the recording date & time and the file name of each file," including a first location in a storage area using a FAT system to point to the first location of data for each file. Therefore Takahashi only discusses using a table of contents to store system control information, and, thus, Takahashi fails to disclose or suggest storing "**in** ~~at least one~~a plurality of **FAT** ~~entry~~entries **in a FAT area provided in said recording medium, management information** including time information on a time when said information is recorded, index information indicating a start of said information in the FAT area ~~which can be~~assigned to a recording unit comprising a cluster of said information in the FAT area, a forward pointer for connecting recording units of said information in a forward direction, and a backward pointer for connecting recording units of said information in a backward direction" as recited in claim 1. In other words, Takahashi discusses storing file system control information in a TOC area, in contrast, the claimed present invention stores "management information" " in ~~at least one~~a plurality of FAT ~~entry~~entries in a FAT area." The Application specification, for example, at page 6, line 24 to page 7, line 14, support the claim amendments.

One benefit of the claims is, since the "**management information** including **time information** on a time when said information is recorded, index information indicating a start of said information in the FAT area ~~which can be~~assigned to a recording unit comprising a cluster of said information in the FAT area, a forward pointer for connecting recording units of said information in a forward direction, and a backward pointer for connecting recording units of said

information in a backward direction," is stored in "**a plurality of FAT** ~~entry~~ **entries**," the playback apparatus can start playback at a specific time by referring to the "time information" at each FAT entry and using the "forward" and "backward pointer[s]" to locate the FAT entry containing the recorded program with the desired specific playback time rather then referring to the "Table of Contents" and having to scan through the entire file, starting at the first pointer located in the "Table of Contents," to find the specific playback time in accordance with a system as discussed in Takahashi. For example, the time information in the FAT entry can include specific times of a recorded program file located at a specific FAT entry, for example, the time information can indicate that at a FAT entry, the recorded program data starting from 1 minute 30 seconds to 2 minutes 45 seconds exists.

A further benefit of the claimed invention is that, since "**management information including** time information on a time when said information is recorded, **index information indicating a start of said information in the FAT area** ~~which can be~~ assigned to a recording unit comprising a cluster of said information in the FAT area, a forward pointer for connecting recording units of said information in a forward direction, and a backward pointer for connecting recording units of said information in a backward direction," are stored in a "**plurality of FAT** ~~entry~~ **entries in a FAT area**" regardless of which "FAT Entry" the record and playback apparatus is currently reading from, the record and playback apparatus can efficiently search for a "start of the recorded program" since "**index information indicating a start of a recorded program**" is stored in "**a plurality of FAT** ~~entry~~ **entries**." In contrast, in a system in accordance with Takahashi, the system must first locate the recorded program in the Table of Contents to find information indicating the first location of a recorded program and then must sequentially search from the first location to find a desired start of a recorded program.

The Office Action, at item 3, lines 10-17, relies upon Nakamura merely for discussing backward or reverse pointers, however, Nakamura fails to disclose or suggest storing "management information" "**in** ~~at least one~~ **a plurality of FAT** ~~entry~~ **entries in a FAT area provided in said recording medium**" as discussed above and, thus, fails to cure the deficiencies of Takahashi. Therefore, a prima facie case of obviousness cannot be based upon Takahashi and Nakamura, because there has not been a showing of some objective teaching in Nakamura, or that knowledge generally available to one of ordinary skill in the art would lead that individual to modify Takahashi to store "management information" "**in** ~~at least one~~ **a plurality of FAT** ~~entry~~ **entries in a FAT area provided in said recording medium**" (e.g., independent claims 1, 3, 10, 12 and 19). For example, Nakamura discusses "audio data of each file are

continuously written into segments which are chain-connected by the connecting pointers" (Nakamura, abstract, lines 13-15), but Nakamura fails to provide any motivation to be combined and modified with Takahashi for storing "management information" "in ~~at least one~~a plurality of FAT ~~entry~~entries." In other words, Nakamura cannot provide any motivation to modify Takahashi to achieve the claimed storing "in ~~at least one~~a plurality of FAT ~~entry~~entries in a FAT area provided in said recording medium, management information including time information on a time when said information is recorded, index information indicating a start of said information in the FAT area ~~which can be~~ assigned to a recording unit comprising a cluster of said information in the FAT area, a forward pointer for connecting recording units of said information in a forward direction, and a backward pointer for connecting recording units of said information in a backward direction," as recited in independent claims 1, 3, 10, 12 and 19, since Nakamura only discusses connecting pointers, but not the claimed storing of "management information" "in ~~at least one~~a plurality of FAT ~~entry~~entries.

Dependent claims recite patentably distinguishing features of their own or are at least patentably distinguishing due to their dependence from the independent claims. Withdrawal of the rejection of pending claims, and allowance of pending claims is respectfully requested.

CONCLUSION

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 20, 2006   By: _____

Mehdi Sheikerz
Registration No. 41,307

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501